

IN THE UNITED STATES DISTRICT COURT
for the
WESTERN DISTRICT OF MICHIGAN

RANDI FISHER, as Personal)
Representative for the Estate of MADISON)
FISHER, Deceased, RANDI FISHER and)
JASON FISHER, Individually,)

Plaintiffs,)

v.)

UNITED STATES OF AMERICA, THERESA)
LAMBERT, R.N., SUSAN LINDAUER,)
R.N., DANIELLE FORWARD, R.N., GWEN)
BAKER, R.N., LEE SALMONSEN, RNC,)
DEBORAH LARSON, R.N., CAROL)
WOHLSCHIED, R.N., BATTLE CREEK)
HEALTH SYSTEM and TRINITY HEALTH)
CORPORATION, Jointly and Severally,)

Defendants.)

Case No. 1:11-CV-00242-PLM
Hon. Paul L. Maloney

**STIPULATED ORDER
DISMISSING CASES
WITHOUT PREJUDICE**

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STIPULATED ORDER DISMISSING CLAIMS WITHOUT PREJUDICE

At a session in said Court
held in the City of Kalamazoo,
In the United States District Court, Western District Of Michigan
on _____

PRESENT: _____
Honorable Paul L. Maloney

Upon stipulation of the parties:

IT IS HEREBY ORDERED that Case Number 1:11-CV-00440-PLM filed in the United States District Court for the Western District of Michigan is hereby dismissed without prejudice, as it has been consolidated with the above-captioned matter, Case Number 1:11-CV-00242-PLM, filed in the United States District Court for the Western District of Michigan.

IT IS FURTHER ORDERED that any state law claims, filed in the Circuit Court for the County of Calhoun, State of Michigan, have been removed, given the court's agreement to exercise supplemental jurisdiction over these allegations, and they too have been consolidated with Case Number 1:11-CV-00242-PLM, filed in the United States District Court for the Western District of Michigan.

Honorable Paul L. Maloney

/s/ Phillip Toutant
Phillip B. Toutant (P72992)

/s/ Agnes Kempker-Cloyd (with Permission)
Agnes Kempker-Cloyd (P28197)

/s/ Carol D. Carlson (with permission)
Carol D. Carlson (P41345)

/s/ Paul J. Manion (with permission)
Paul J. Manion (P17049)